

ESTTA Tracking number: **ESTTA623380**

Filing date: **08/25/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Lumene Oy
Granted to Date of previous extension	08/23/2014
Address	Lasikuja 2 Espoo, FIN-02780 FINLAND
Correspondence information	Jason S. Nardiello, Esq. Partner Hiscock & Barclay, LLP 1270 Avenue of the Americas, Suite 600 New York, NY 10020 UNITED STATES jnardiello@hblaw.com, ip@hblaw.com

### Applicant Information

Application No	86190773	Publication date	06/24/2014
Opposition Filing Date	08/25/2014	Opposition Period Ends	08/23/2014
Applicant	NEXDERM, Inc. 1849 W. Redlands Blvd., Suite 102 Redlands, CA 92373 UNITED STATES		

### Goods/Services Affected by Opposition


Class 003. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Cosmetic preparations; Cosmetics; Non-medicated skin care preparations; Non-medicated skin care preparations, namely, skin creams for the treatment of photo-aged and photo-damaged skin, rough skin, fine wrinkles, uneven pigmentation, age spots, and acne


### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2429020	Application Date	07/12/1994
Registration Date	02/20/2001	Foreign Priority Date	NONE

Word Mark	LUMENE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, [ non-medicated acne preparations, ] lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover; nail care preparations, sun protection preparations; body soaps, [ laundry detergents, hair and ] body shampoos, [hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use ] and [ for use in the manufacture of scented products; ] shaving preparations [ ; toothpaste ]


U.S. Registration No.	4216023	Application Date	07/28/2011
Registration Date	10/02/2012	Foreign Priority Date	NONE
Word Mark	LUMENE NATURAL CODE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste, all the foregoing made in significant part of natural ingredients		

U.S. Registration No.	4296814	Application Date	12/16/2011
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Registration Date	03/05/2013	Foreign Priority Date	12/02/2011
Word Mark	LUMENE LAB		
Design Mark	<b>LUMENE LAB</b>		
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0 Bleaching preparations; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices</p> <p>Class 005. First use: First Use: 0 First Use In Commerce: 0 Pharmaceutical skin care preparations; sanitary preparations for medical purposes; plasters for medical use, medical dressings; material for stopping teeth, dental wax; all purpose disinfectants</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0 Medical services; hygienic and beauty care for human beings or animals</p>		

U.S. Registration No.	4329887	Application Date	01/10/2012
Registration Date	05/07/2013	Foreign Priority Date	12/29/2011
Word Mark	LUMENE ILLUMINATING ANTI-AGE BB CREAM		
Design Mark	<b>LUMENE ILLUMINATING ANTI-AGE BB CREAM</b>		
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0 Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing skin creams in liquid form for face and body care, face creams, body creams, hand creams, body mask cream, facial masks, nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations, namely, sun tan lotions; body soaps, essential oils for personal use and for use in the manufacture of scented products</p>		

U.S. Registration No.	4359647	Application Date	01/18/2012
Registration Date	07/02/2013	Foreign Priority Date	01/12/2012
Word Mark	LUMENE LAB		

Design Mark	
Description of Mark	The mark consists of the stylized wording "LUMENE LAB" above a graphic of four overlapping solid circles that are transparent where they overlap. The overlapping area resembles a flower.
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0</p> <p>Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0</p> <p>Hygienic and beauty care for human beings</p>

Attachments	<p>74548352#TMSN.png( bytes )  79104428#TMSN.png( bytes )  79109592#TMSN.png( bytes )  79111863#TMSN.png( bytes )  79116377#TMSN.png( bytes )  2014.08.25 Lumeris notice of opposition.pdf(169163 bytes )  Lumene Exhibit 1.pdf(1428975 bytes )</p>
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Jason S. Nardiello/
Name	Jason S. Nardiello
Date	08/25/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

*In the Matter of Application Serial No. 86/190,773  
Published in the Official Gazette of June 24, 2014  
Atty. Ref.: 721201.3071075*

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**Lumene Oy,** :  
 :  
                    Opposer, :  
                    -against- :     Opposition No.:  
**NEXDERM, Inc.,** :  
                    Applicant. :  
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**NOTICE OF OPPOSITION**

**Lumene Oy**, a Finnish corporation, with a business address of Lasikuja 2, Espoo, Finland FIN-02780 (hereinafter “Opposer”), believes that it will be damaged by registration of the trademark **LUMERIS**, as shown in Application Serial No. 86/190,773, and hereby opposes same.

As grounds for opposition, it is alleged that:

1.     **NEXDERM, Inc.** (hereinafter “Applicant”) has filed an application in the United States Patent and Trademark Office, Serial No. 86/190,773, filed February 11, 2014, for registration of the term “LUMERIS” on the Principal Register as a trademark for “cosmetic preparations; Cosmetics; Non-medicated skin care preparations; Non-medicated skin care preparations, namely, skin creams for the treatment of photo-aged and photo-damaged skin, rough skin, fine wrinkles, uneven pigmentation, age spots, and acne” (Int’l. Class 3), on the basis of intent-to-use the mark in commerce.

2. Opposer is a leading producer and distributor of high-quality beauty and skin care products, and it uses the word “LUMENE” as the dominant part of its trademark and trade name, in many countries of the world, including the United States (hereinafter, the “LUMENE” marks).

3. Opposer has registered the trademark “**LUMENE**” on the Principal Register of the United States Patent and Trademark Office, Reg. No. 2,429,020, dated February 20, 2001, in respect of “cosmetics, namely body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover; nail care preparations, sun protection preparations; body soaps, body shampoos, and shaving preparations” (Int’l. Class 3). Said registration is valid and subsisting, and Opposer hereby gives notice, in accordance with Trademark Rule 2.122(d)(2), that it will rely on said registration as evidence on its behalf in this proceeding. Attached to this Notice of Opposition as “Exhibit 1” is a status copy of said registration from the “TSDR” database of the United States Patent and Trademark Office, along with a copy of the assignment records showing that title to the registration stands in the name of Opposer.

4. Opposer has registered the trademark “**LUMENE NATURAL CODE**” on the Principal Register of the United States Patent and Trademark Office, Reg. No. 4,216,023, dated October 2, 2012, in respect of “cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations,

skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste, all the foregoing made in significant part of natural ingredients” (Int’l. Class 3). Said registration is valid and subsisting, and Opposer hereby gives notice, in accordance with Trademark Rule 2.122(d)(2), that it will rely on said registration as evidence on its behalf in this proceeding. Attached to this Notice of Opposition as “Exhibit 1” is a status copy of said registration from the “TSDR” database of the United States Patent and Trademark Office, along with a copy of the assignment records showing that title to the registration stands in the name of Opposer.

5. Opposer has registered the trademark “**LUMENE LAB**” on the Principal Register of the United States Patent and Trademark Office, Reg. No. 4,296,814, dated March 5, 2013, in respect of “bleaching preparations; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices” (Int’l. Class 3), “pharmaceutical skin care preparations; sanitary preparations for medical purposes; plasters for medical use, medical dressings; material for stopping teeth, dental wax; all purpose disinfectants” (Int’l. Class 5) and “medical services; hygienic and beauty care for human beings or animals” (Int’l. Class 44). Said registration is valid and subsisting, and Opposer hereby gives notice, in accordance with Trademark Rule 2.122(d)(2), that it will rely on said registration as evidence on its behalf in this proceeding. Attached to this Notice of Opposition as “Exhibit 1” is a status copy of said registration from the “TSDR” database of the United States Patent and Trademark Office, along with a copy of the assignment records showing that title to the registration stands in the name of Opposer.



6. Opposer has registered the trademark **“LUMENE ILLUMINATING ANTI-AGE BB CREAM”** on the Principal Register of the United States Patent and Trademark Office, Reg. No. 4,329,887, dated May 7, 2013, in respect of “cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing skin creams in liquid form for face and body care, face creams, body creams, hand creams, body mask cream, facial masks, nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations, namely, sun tan lotions; body soaps, essential oils for personal use and for use in the manufacture of scented products” (Int’l. Class 3). Said registration is valid and subsisting, and Opposer hereby gives notice, in accordance with Trademark Rule 2.122(d)(2), that it will rely on said registration as evidence on its behalf in this proceeding. Attached to this Notice of Opposition as “Exhibit 1” is a status copy of said registration from the “TSDR” database of the United States Patent and Trademark Office, along with a copy of the assignment records showing that title to the registration stands in the name of Opposer.

7. Opposer has registered the trademark **“LUMENE LAB & Design”** on the Principal Register of the United States Patent and Trademark Office, Reg. No. 4,359,647, dated July 2, 2013, in respect of “cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face

powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste” (Int’l. Class 3) and “hygienic and beauty care for human beings” (Int’l. Class 44). Said registration is valid and subsisting, and Opposer hereby gives notice, in accordance with Trademark Rule 2.122(d)(2), that it will rely on said registration as evidence on its behalf in this proceeding. Attached to this Notice of Opposition as “Exhibit 1” is a status copy of said registration from the “TSDR” database of the United States Patent and Trademark Office, along with a copy of the assignment records showing that title to the registration stands in the name of Opposer.

8. Applicant adopted its alleged trademark “LUMERIS” and applied to register said mark with constructive notice of Opposer’s aforementioned registered trademark, pursuant to Section 22 of the U.S. Trademark Act, and, upon information and belief, with actual notice of Opposer’s prior trademark and trade name use of “LUMENE.”

9. There is no issue of priority since the filing date of Applicant’s “LUMERIS” trademark application is subsequent to the filing and registration dates of Opposer’s “LUMENE” trademark registrations and to the date of first use in commerce of Opposer’s aforementioned trademark and its use of “Lumene” as, or as part of, a trade name.

10. Opposer’s trademark “LUMENE” possesses a high degree of inherent distinctiveness and represents an extremely valuable asset and symbol of the goodwill of its business by identifying goods which have their source of origin exclusively with Opposer, and by distinguishing such goods from those of others.

11. Use of Opposer's trademark "LUMENE" in commerce has been exclusive, substantially continuous and extensive since the date of first use of said trademark until the present time. Said mark is being used to identify and distinguish a wide range of beauty and skin care products.

12. Applicant's alleged trademark "LUMERIS" is confusingly similar to Opposer's pleaded trademark "LUMENE" in sound, appearance and/or commercial impression.

13. The respective goods of the Opposer and the Applicant are identical, closely related and/or complementary, and said goods move through the same channels of trade for sale to or use by the same general class of purchasers.

14. Applicant's alleged trademark is likely to cause pre-purchase and/or post-purchase confusion, mistake and/or deception of purchasers or members of the public as to the respective marks of the Opposer and the Applicant, and also as to the source of origin or sponsorship of the goods for which such marks are used.

15. Applicant's alleged trademark is likely to cause irreparable loss, injury and/or damage to Opposer's business and to the goodwill thereto appertaining as symbolized and recognized by its aforementioned trademark and trade name.

16. Applicant's alleged trademark is a colorable imitation or misappropriation of Opposer's pleaded trademarks, and the registration of such will enable Applicant to reap what it has not sown by trading on the goodwill of Opposer's business as symbolized and recognized by its aforementioned trademarks and trade name.

17. Applicant's alleged trademark consists of or comprises a mark which so resembles a mark registered in the Patent and Trademark Office, or a mark or trade name previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods of the applicant, to cause confusion, or to cause mistake, or to deceive.

18. Use and registration of Applicant's alleged mark "LUMERIS" is likely to lessen the

capacity of Opposer's LUMENE marks to identify and distinguish Opposer's aforementioned goods.

19. Use and registration of Applicant's alleged mark "LUMERIS" is likely to cause dilution of the distinctive quality of Opposer's LUMENE marks.

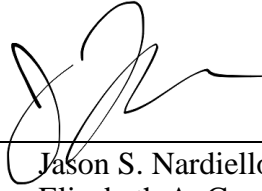
The Commissioner is authorized to charge Deposit Account No. **503010** for all official fees required to be paid in connection with this proceeding.

IN CONCLUSION, Opposer, by its undersigned attorneys, prays that its opposition to Application Serial No. 86/190,773 be sustained and that the Trademark Trial and Appeal Board grant any and all further relief to Opposer that the Board finds to be necessary and just in the circumstances.

Respectfully submitted,

**LUMENE OY**

Dated: August 25, 2014

By:   
Jason S. Nardiello  
Elizabeth A. Cominoli

HISCOCK & BARCLAY, LLP  
Suite 600  
1270 Avenue of the Americas  
New York, New York 10020  
Tel. No.: (212) 784-5800  
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[E-Mail: ip@hblaw.com](mailto:ip@hblaw.com)

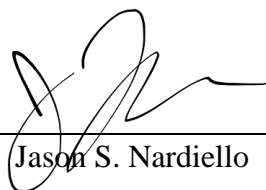
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 25th day of August, 2014, I served a true and correct copy of the following **NOTICE OF OPPOSITION**, via e-mail and First Class U.S. Mail, postage prepaid, upon the Applicant's attorney:

John Alumit, Esq.  
Alumit IP  
135 S Jackson St., Suite 200  
Glendale, California 91205-4917  
john@alumitip.com

Dated: August 25, 2014

By: \_\_\_\_\_  
Jason S. Nardiello

**Generated on:** This page was generated by TSDR on 2014-08-25 17:24:19 EDT

**Mark:** LUMENE

**LUMENE**

**US Serial Number:** 74548352  
**US Registration Number:** 2429020  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** The registration has been renewed.  
**Status Date:** Mar. 12, 2011  
**Publication Date:** Oct. 15, 1996

**Application Filing Date:** Jul. 12, 1994  
**Registration Date:** Feb. 20, 2001

## Mark Information

**Mark Literal Elements:** LUMENE  
**Standard Character Claim:** No  
**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## Foreign Information

**Foreign Registration Number:** 54398  
**Foreign Registration Date:** Apr. 08, 1969  
**Foreign Application/Registration Country:** FINLAND  
**Foreign Expiration Date:** Apr. 08, 2009

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, [ non-medicated acne preparations, ] lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover; nail care preparations, sun protection preparations; body soaps, [ laundry detergents, hair and ] body shampoos, [ hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use ] and [ for use in the manufacture of scented products; ] shaving preparations [ ; toothpaste ]

**International Class(es):** 003 - Primary Class  
**U.S Class(es):** 001, 004, 006, 050, 051, 052  
**Class Status:** ACTIVE  
**Basis:** 44(e)

## Basis Information (Case Level)

<b>Filed Use:</b> No	<b>Currently Use:</b> No	<b>Amended Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> Yes	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> Yes	<b>Amended 44E:</b> Yes
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** LUMENE OY  
**Owner Address:** LASIKUJA 2  
ESPOO 02780  
FINLAND  
**Legal Entity Type:** CORPORATION  
**State or Country Where:** FINLAND

Organized:

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Keith E. Danish, Esq. **Docket Number:** 721201.30388  
**Attorney Primary Email Address:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com) **Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** KEITH E. DANISH  
Hiscock & Barclay, LLP  
1270 Avenue of the Americas  
Suite 600  
NEW YORK, NEW YORK 10020  
UNITED STATES  
**Correspondent e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com) [ipdocket@hblaw.com](mailto:ipdocket@hblaw.com) **Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Domestic Representative Name:** Keith E. Danish, Esq. **Phone:** 212-784-5800  
**Fax:** 212-784-5777  
**Domestic Representative e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com) **Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Sep. 18, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 21, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 28, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 21, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 21, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 12, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Mar. 12, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 08, 2011	TEAS SECTION 8 & 9 RECEIVED	
Jan. 08, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 21, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED	70131
Feb. 20, 2007	TEAS SECTION 8 RECEIVED	
Nov. 28, 2006	CASE FILE IN TICRS	
Nov. 09, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 20, 2001	REGISTERED-PRINCIPAL REGISTER	
Jun. 27, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 15, 1996	PUBLISHED FOR OPPOSITION	
Sep. 13, 1996	NOTICE OF PUBLICATION	
Jun. 07, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 02, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 02, 1995	FINAL REFUSAL MAILED	
Jul. 21, 1995	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 23, 1995	NON-FINAL ACTION MAILED	
Dec. 06, 1994	ASSIGNED TO EXAMINER	69976

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Renewal Date:** Feb. 20, 2011

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 12, 2011

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 5

Registrant: Orion Corporation

#### Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3025/0426](#)

Pages: 20

Date Recorded: Feb. 09, 2005

Supporting Documents: [assignment-tm-3025-0426.pdf](#)

#### Assignor

Name: [ORION-YHTYMA OYJ, ALSO TRADING AS ORION CORPORATION](#)

Execution Date: Nov. 17, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

#### Assignee

Name: [NOIRO OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

Address: LASIKUJA 2  
ESPOO, FINLAND FIN-02780

#### Correspondent

Correspondent Name: KEITH E. DANISH, ESQ.

Correspondent Address: 599 LEXINGTON AVENUE  
NEW YORK, NY 10022-6030

#### Domestic Representative - Not Found

#### Assignment 2 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [3160/0715](#)

Pages: 3

Date Recorded: Sep. 16, 2005

Supporting Documents: [assignment-tm-3160-0715.pdf](#)

#### Assignor

Name: [NOIRO OY](#)

Execution Date: Feb. 16, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

#### Assignee

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

Address: LASIKUJA 2  
ESPOO, FINLAND FIN-02780

#### Correspondent

Correspondent Name: KEITH E. DANISH

Correspondent Address: 599 LEXINGTON AVENUE  
NEW YORK, NY 10022-6030

#### Domestic Representative

Domestic Representative Name: KIRKPATRICK & LOCKHART NICHOLSON GRAHAM

Domestic Representative Address: 599 LEXINGTON AVENUE  
NEW YORK, NY 10022-6030

#### Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4905/0852](#)

Pages: 4

Date Recorded: Nov. 25, 2012

Supporting Documents: [assignment-tm-4905-0852.pdf](#)



<b>Assignor</b>	
<b>Name:</b> <a href="#">LUMENE OY</a>	<b>Execution Date:</b> Apr. 30, 2012
<b>Legal Entity Type:</b> CORPORATION	<b>State or Country Where Organized:</b> FINLAND
<b>Assignee</b>	
<b>Name:</b> <a href="#">LUMENE OY</a>	<b>State or Country Where Organized:</b> FINLAND
<b>Legal Entity Type:</b> CORPORATION	
<b>Address:</b> P.O. BOX 27 ESPOO, FINLAND 02781	
<b>Correspondent</b>	
<b>Correspondent Name:</b> KEITH E. DANISH	
<b>Correspondent Address:</b> SEVEN TIMES SQUARE, 44TH FLOOR HISCOCK & BARCLAY, LLP NEW YORK, NY 10036	
<b>Domestic Representative</b>	
<b>Domestic Representative Name:</b> KEITH E. DANISH	
<b>Domestic Representative Address:</b> SEVEN TIMES SQUARE, 44TH FLOOR HISCOCK & BARCLAY, LLP NEW YORK, NY 10036	
<b>Assignment 4 of 5</b>	
<b>Conveyance:</b> ASSIGNS THE ENTIRE INTEREST	
<b>Reel/Frame:</b> <a href="#">5110/0649</a>	<b>Pages:</b> 24
<b>Date Recorded:</b> Sep. 12, 2013	
<b>Supporting Documents:</b> <a href="#">assignment-tm-5110-0649.pdf</a>	
<b>Assignor</b>	
<b>Name:</b> <a href="#">LUMENE OY</a>	<b>Execution Date:</b> Feb. 28, 2013
<b>Legal Entity Type:</b> CORPORATION	<b>State or Country Where Organized:</b> FINLAND
<b>Assignee</b>	
<b>Name:</b> <a href="#">LUMENE INTERMEDIATE HOLDING OY</a>	<b>State or Country Where Organized:</b> FINLAND
<b>Legal Entity Type:</b> CORPORATION	
<b>Address:</b> LASIKUJA 2 ESPOO, FINLAND 02780	
<b>Correspondent</b>	
<b>Correspondent Name:</b> KEITH E. DANISH	
<b>Correspondent Address:</b> 1270 AVENUE OF THE AMERICAS, SUITE 600 HISCOCK & BARCLAY, LLP NEW YORK, NY 10020	
<b>Domestic Representative - Not Found</b>	
<b>Assignment 5 of 5</b>	
<b>Conveyance:</b> CHANGE OF NAME	
<b>Reel/Frame:</b> <a href="#">5110/0673</a>	<b>Pages:</b> 5
<b>Date Recorded:</b> Sep. 12, 2013	
<b>Supporting Documents:</b> <a href="#">assignment-tm-5110-0673.pdf</a>	
<b>Assignor</b>	
<b>Name:</b> <a href="#">LUMENE INTERMEDIATE HOLDING OY</a>	<b>Execution Date:</b> Mar. 01, 2013
<b>Legal Entity Type:</b> CORPORATION	<b>State or Country Where Organized:</b> FINLAND
<b>Assignee</b>	
<b>Name:</b> <a href="#">LUMENE OY</a>	<b>State or Country Where Organized:</b> FINLAND
<b>Legal Entity Type:</b> CORPORATION	
<b>Address:</b> LASIKUJA 2 ESPOO, FINLAND 02780	
<b>Correspondent</b>	
<b>Correspondent Name:</b> KEITH E. DANISH	
<b>Correspondent Address:</b> 1270 AVENUE OF THE AMERICAS, SUITE 600 HISCOCK & BARCLAY, LLP NEW YORK, NY 10020	

**Domestic Representative**

**Domestic Representative Name:** HISCOCK & BARCLAY, LLP  
**Domestic Representative Address:** 1270 AVENUE OF THE AMERICAS  
SUITE 600  
NEW YORK, NY 10020

**Proceedings****Summary**

**Number of Proceedings:** 3

**Type of Proceeding: Opposition**

**Proceeding Number:** [91215484](#)

**Filing Date:** Mar 18, 2014

**Status:** Terminated

**Status Date:** Jul 02, 2014

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** PFB Vanish, Inc.

**Correspondent Address:** CURTIS B HERBERT PHD  
DARDI & HERBERT PLLC  
1250 MOORE LAKE DRIVE E  
FRIDLEY MN , 55432 5134  
UNITED STATES

**Correspondent e-mail:** [trademarks@daiplaw.com](mailto:trademarks@daiplaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LUMEN8	Abandoned - After Inter-Partes Decision	<a href="#">85896224</a>	

**Plaintiff(s)**

**Name:** Lumene Oy

**Correspondent Address:** KEITH E DANISH  
HISCOCK & BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, SUITE 600  
NEW YORK NY , 10020  
UNITED STATES

**Correspondent e-mail:** [ip@hblaw.com](mailto:ip@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com) , [jnardiello@hblaw.com](mailto:jnardiello@hblaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LUMENE	Renewed	<a href="#">74548352</a>	<a href="#">2429020</a>
LUMENE NATURAL CODE	Registered	<a href="#">79104428</a>	<a href="#">4216023</a>
LUMENE LAB	Registered	<a href="#">79109592</a>	<a href="#">4296814</a>
LUMENE ILLUMINATING ANTI-AGE BB CREAM	Registered	<a href="#">79111863</a>	<a href="#">4329887</a>
LUMENE LAB	Registered	<a href="#">79116377</a>	<a href="#">4359647</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 18, 2014	Apr 27, 2014
3	PENDING, INSTITUTED	Mar 18, 2014	
4	NOTICE OF DEFAULT	May 13, 2014	
5	BD DECISION: SUSTAINED	Jul 02, 2014	
6	TERMINATED	Jul 02, 2014	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91213265](#)

**Filing Date:** Oct 31, 2013

**Status:** Terminated

**Status Date:** Feb 19, 2014

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Formula XO, Inc.

**Correspondent Address:** TERESE R COHEN  
WILMER CUTLER PICKERING HALE AND DORR LL

250 GREENWICH ST  
NEW YORK NY , 10007-2140  
UNITED STATES

Correspondent e-mail: [whipnytrademarkdocketstaff@wilmerhale.c](mailto:whipnytrademarkdocketstaff@wilmerhale.c)

Mark	Application Status	Serial Number	Registration Number
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LUMINSE Abandoned - After Inter-Partes Decision [85920137](#)

**Plaintiff(s)**

Name: Lumene Oy

Correspondent Address: ATTORNEYS-AT-LAW BORENIUS LLP  
65 BROADWAY, STE 503  
NEW YORK NY , 10006  
UNITED STATES

Correspondent e-mail: [lasse.laaksonen@borenius.com](mailto:lasse.laaksonen@borenius.com)

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

LUMENE Renewed [74548352](#) [2429020](#)

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 31, 2013	Dec 10, 2013
3	PENDING, INSTITUTED	Oct 31, 2013	
4	NOTICE OF DEFAULT	Jan 05, 2014	
5	BD DECISION: SUSTAINED	Feb 19, 2014	
6	TERMINATED	Feb 19, 2014	

**Type of Proceeding: Opposition**

Proceeding Number: [91208522](#)

Filing Date: Dec 19, 2012

Status: Terminated

Status Date: Apr 15, 2013

Interlocutory Attorney: ANDREW P BAXLEY

**Defendant**

Name: Innocreative Solutions Inc.

Correspondent Address: INNOCREATIVE SOLUTIONS INC  
149 S BARRINGTON AVE 189  
LOS ANGELES CA , 90049 3310  
UNITED STATES

Correspondent e-mail: [globalrush@gmail.com](mailto:globalrush@gmail.com)

Mark	Application Status	Serial Number	Registration Number
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LUMERY Abandoned - After Inter-Partes Decision [85589302](#)

**Plaintiff(s)**

Name: Lumene Oy

Correspondent Address: KEITH E DANISH  
HISCOCK BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, STE 600  
NEW YORK NY , 10020  
UNITED STATES

Correspondent e-mail: [trademarks@hblaw.com](mailto:trademarks@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com)

Mark	Application Status	Serial Number	Registration Number
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LUMENE Renewed [74548352](#) [2429020](#)

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 19, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 19, 2012	Jan 28, 2013

3	PENDING, INSTITUTED	Dec 19, 2012
4	NOTICE OF DEFAULT	Feb 14, 2013
5	BD DECISION: SUSTAINED	Apr 15, 2013
6	TERMINATED	Apr 15, 2013

**Generated on:** This page was generated by TSDR on 2014-08-25 17:26:49 EDT

**Mark:** LUMENE NATURAL CODE

**LUMENE NATURAL CODE**

**US Serial Number:** 79104428

**Application Filing Date:** Jul. 28, 2011

**US Registration Number:** 4216023

**Registration Date:** Oct. 02, 2012

**Register:** Principal

**Mark Type:** Trademark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Oct. 02, 2012

**Publication Date:** Jul. 17, 2012

## Mark Information

**Mark Literal Elements:** LUMENE NATURAL CODE

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "NATURAL"

## Related Properties Information

**International Registration Number:** 1095463

**International Registration Date:** Jul. 28, 2011

**Claimed Ownership of US Registrations:** 2429020

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial makeup, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste, all the foregoing made in significant part of natural ingredients

**International Class(es):** 003 - Primary Class

**U.S Class(es):** 001, 004, 006, 050, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Lumene Oy

**Owner Address:** Lasikuja 2  
FI-02780 Espoo  
FINLAND

**Legal Entity Type:** UNKNOWN

**State or Country Where** No Place Where Organized Found

Organized:

## Attorney/Correspondence Information

### Attorney of Record

Docket Number: 721201.30561

### Correspondent

**Correspondent Name/Address:** Mark I. Peroff, Esq.  
Hiscock & Barclay LLP  
Seven Times Square  
44th Floor  
New York, NEW YORK 10036  
UNITED STATES

Correspondent e-mail: [trademarks@hblaw.com](mailto:trademarks@hblaw.com)Correspondent e-mail Yes  
Authorized:

### Domestic Representative

Phone: 212-784-5800

Fax: 212-784-5777

Domestic Representative e-mail: [trademarks@hblaw.com](mailto:trademarks@hblaw.com)Domestic Representative e-mail Yes  
Authorized:

## Prosecution History

Date	Description	Proceeding Number
May 24, 2013	CHANGE OF OWNER RECEIVED FROM IB	
Feb. 14, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Jan. 23, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Jan. 23, 2013	FINAL DISPOSITION PROCESSED	67445
Jan. 02, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 03, 2012	CHANGE OF OWNER RECEIVED FROM IB	
Oct. 02, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 29, 2012	NOTIFICATION PROCESSED BY IB	
Jul. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 17, 2012	PUBLISHED FOR OPPOSITION	
Jun. 27, 2012	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Jun. 27, 2012	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Jun. 27, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 14, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 14, 2012	ASSIGNED TO LIE	68171
May 29, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 29, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 29, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 29, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 05, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 24, 2011	REFUSAL PROCESSED BY IB	
Dec. 02, 2011	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Dec. 01, 2011	REFUSAL PROCESSED BY MPU	68359
Dec. 01, 2011	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Nov. 30, 2011	NON-FINAL ACTION WRITTEN	83169
Nov. 22, 2011	APPLICATION FILING RECEIPT MAILED	
Nov. 19, 2011	ASSIGNED TO EXAMINER	83169
Nov. 18, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 18, 2011	LIMITATION FROM ORIGINAL APPLICATION ENTERED	67445
Nov. 17, 2011	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

International Registration Number:	1095463	International Registration Date:	Jul. 28, 2011
Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	Nov. 17, 2011
Notification of Designation Date:	Nov. 17, 2011	Date of Automatic Protection:	May 17, 2013
International Registration Renewal Date:	Jul. 28, 2021		
First Refusal Flag:	Yes		

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 02, 2012

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 2

Registrant: Lumene Oy

### Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4891/0707](#)

Pages: 2

Date Recorded: Nov. 03, 2012

Supporting Documents: [assignment-tm-4891-0707.pdf](#)

### Assignor

Name: [LUMENE OY](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: UNKNOWN

State or Country Where Organized: FINLAND

### Assignee

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

Address: PL 27  
FI-02781 ESPOO, FINLAND

### Correspondent

Correspondent Name: LUMENE OY

Correspondent Address: PL 27  
FI-02781 ESPOO  
FINLAND

### Domestic Representative - Not Found

### Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5033/0216](#)

Pages: 2

Date Recorded: May 24, 2013

Supporting Documents: [assignment-tm-5033-0216.pdf](#)

### Assignor

Name: [LUMENE OY](#)

Execution Date: Apr. 10, 2013

Legal Entity Type: UNKNOWN

State or Country Where Organized: FINLAND

### Assignee

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NOT PROVIDED

Address: LASIKUJA 2  
FI-02780 ESPOO, FINLAND

### Correspondent

Correspondent Name: LUMENE OY

Correspondent Address: P.O. BOX 27

Domestic Representative - Not Found

## Proceedings

### Summary

Number of Proceedings: 1

### Type of Proceeding: Opposition

Proceeding Number: [91215484](#)

Filing Date: Mar 18, 2014

Status: Terminated

Status Date: Jul 02, 2014

Interlocutory Attorney: CHERYL S GOODMAN

### Defendant

Name: PFB Vanish, Inc.

Correspondent Address: CURTIS B HERBERT PHD  
DARDI & HERBERT PLLC  
1250 MOORE LAKE DRIVE E  
FRIDLEY MN , 55432 5134  
UNITED STATES

Correspondent e-mail: [trademarks@daiplaw.com](mailto:trademarks@daiplaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMEN8	Abandoned - After Inter-Partes Decision	<a href="#">85896224</a>	

### Plaintiff(s)

Name: Lumene Oy

Correspondent Address: KEITH E DANISH  
HISCOCK & BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, SUITE 600  
NEW YORK NY , 10020  
UNITED STATES

Correspondent e-mail: [jp@hblaw.com](mailto:jp@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com) , [jnardiello@hblaw.com](mailto:jnardiello@hblaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMENE	Renewed	<a href="#">74548352</a>	<a href="#">2429020</a>
LUMENE NATURAL CODE	Registered	<a href="#">79104428</a>	<a href="#">4216023</a>
LUMENE LAB	Registered	<a href="#">79109592</a>	<a href="#">4296814</a>
LUMENE ILLUMINATING ANTI-AGE BB CREAM	Registered	<a href="#">79111863</a>	<a href="#">4329887</a>
LUMENE LAB	Registered	<a href="#">79116377</a>	<a href="#">4359647</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 18, 2014	Apr 27, 2014
3	PENDING, INSTITUTED	Mar 18, 2014	
4	NOTICE OF DEFAULT	May 13, 2014	
5	BD DECISION: SUSTAINED	Jul 02, 2014	
6	TERMINATED	Jul 02, 2014	



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**Mark:** LUMENE LAB

**LUMENE LAB**

**US Serial Number:** 79109592

**Application Filing Date:** Dec. 16, 2011

**US Registration Number:** 4296814

**Registration Date:** Mar. 05, 2013

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Mar. 05, 2013

**Publication Date:** Dec. 18, 2012

## Mark Information

**Mark Literal Elements:** LUMENE LAB

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "LAB"

**Translation:** The wording "LUMENE" has no meaning in a foreign language.

## Related Properties Information

**International Registration Number:** 1107925

**International Registration Date:** Dec. 16, 2011

**Claimed Ownership of US Registrations:** 2429020

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** Bleaching preparations; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices

**International Class(es):** 003 - Primary Class

**U.S Class(es):** 001, 004, 006, 050, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Pharmaceutical skin care preparations; sanitary preparations for medical purposes; plasters for medical use, medical dressings; material for stopping teeth, dental wax; all purpose disinfectants

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Medical services; hygienic and beauty care for human beings or animals

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Lumene Oy  
**Owner Address:** Lasikuja 2  
FI-02780 Espoo  
FINLAND

**Legal Entity Type:** UNKNOWN

**State or Country Where Organized:** No Place Where Organized Found

## Attorney/Correspondence Information

### Attorney of Record

**Docket Number:** 721201.30601

### Correspondent

**Correspondent Name/Address:** Keith E. Danish  
HISCOCK & BARCLAY LLP  
1270 Avenue of the Americas  
Suite 600  
NEW YORK, NEW YORK 10020  
UNITED STATES

**Correspondent e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Phone:** 212-784-5800

**Fax:** 212-784-5777

**Domestic Representative e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com)

**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Nov. 10, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 15, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 15, 2013	FINAL DISPOSITION PROCESSED	68359
Jun. 05, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
May 24, 2013	CHANGE OF OWNER RECEIVED FROM IB	
Mar. 05, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 18, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 18, 2012	PUBLISHED FOR OPPOSITION	
Dec. 15, 2012	NOTIFICATION PROCESSED BY IB	
Dec. 11, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 28, 2012	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Nov. 28, 2012	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Nov. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 15, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Nov. 13, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 13, 2012	DATA MODIFICATION COMPLETED	68552
Nov. 03, 2012	CHANGE OF OWNER RECEIVED FROM IB	
Oct. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Oct. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Oct. 15, 2012	ASSIGNED TO LIE	68552
Oct. 10, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 10, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 02, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 27, 2012	REFUSAL PROCESSED BY IB	
Apr. 07, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	

Apr. 07, 2012	REFUSAL PROCESSED BY MPU	67445
Mar. 31, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Mar. 30, 2012	NON-FINAL ACTION WRITTEN	76076
Mar. 29, 2012	NON-FINAL ACTION (IB REFUSAL) WITHDRAWN FOR REVIEW	67445
Mar. 29, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Mar. 28, 2012	NON-FINAL ACTION WRITTEN	76076
Mar. 25, 2012	ASSIGNED TO EXAMINER	76076
Mar. 20, 2012	APPLICATION FILING RECEIPT MAILED	
Mar. 14, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 13, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

<b>International Registration Number:</b> 1107925	<b>International Registration Date:</b> Dec. 16, 2011
<b>Priority Claimed Flag:</b> Yes	<b>Date of Section 67 Priority Claim:</b> Dec. 02, 2011
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> Mar. 13, 2012
<b>Notification of Designation Date:</b> Mar. 08, 2012	<b>Date of Automatic Protection:</b> Sep. 08, 2013
<b>International Registration Renewal Date:</b> Dec. 16, 2021	
<b>First Refusal Flag:</b> Yes	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Mar. 05, 2013

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 2

**Registrant:** Lumene Oy

### Assignment 1 of 2

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [4891/0709](#)

**Pages:** 2

**Date Recorded:** Nov. 03, 2012

**Supporting Documents:** [assignment-tm-4891-0709.pdf](#)

### Assignor

**Name:** [LUMENE OY](#)

**Execution Date:** Jun. 22, 2012

**Legal Entity Type:** UNKNOWN

**State or Country Where Organized:** FINLAND

### Assignee

**Name:** [LUMENE OY](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** FINLAND

**Address:** PL 27  
FI-02781 ESPOO, FINLAND

### Correspondent

**Correspondent Name:** LUMENE OY

**Correspondent Address:** PL 27  
FI-02781 ESPOO  
FINLAND

### Domestic Representative - Not Found

### Assignment 2 of 2

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5033/0218](#)

**Pages:** 2

**Date Recorded:** May 24, 2013

Supporting Documents: [assignment-tm-5033-0218.pdf](#)

#### Assignor

Name: [LUMENE OY](#)  
Legal Entity Type: UNKNOWN

Execution Date: Apr. 10, 2013  
State or Country Where Organized: FINLAND

#### Assignee

Name: [LUMENE OY](#)  
Legal Entity Type: CORPORATION

State or Country Where Organized: NOT PROVIDED

Address: LASIKUJA 2  
FI-02780 ESPOO, FINLAND

#### Correspondent

Correspondent Name: LUMENE OY  
Correspondent Address: P.O. BOX 27  
FI-02781 ESPOO  
FINLAND

#### Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Opposition

Proceeding Number: [91215484](#) Filing Date: Mar 18, 2014  
Status: Terminated Status Date: Jul 02, 2014  
Interlocutory Attorney: CHERYL S GOODMAN

#### Defendant

Name: PFB Vanish, Inc.  
Correspondent Address: CURTIS B HERBERT PHD  
DARDI & HERBERT PLLC  
1250 MOORE LAKE DRIVE E  
FRIDLEY MN , 55432 5134  
UNITED STATES  
Correspondent e-mail: [trademarks@daiplaw.com](mailto:trademarks@daiplaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMEN8	Abandoned - After Inter-Partes Decision	<a href="#">85896224</a>	

#### Plaintiff(s)

Name: Lumene Oy  
Correspondent Address: KEITH E DANISH  
HISCOCK & BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, SUITE 600  
NEW YORK NY , 10020  
UNITED STATES  
Correspondent e-mail: [ip@hblaw.com](mailto:ip@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com) , [inardiello@hblaw.com](mailto:inardiello@hblaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMENE	Renewed	<a href="#">74548352</a>	<a href="#">2429020</a>
LUMENE NATURAL CODE	Registered	<a href="#">79104428</a>	<a href="#">4216023</a>
LUMENE LAB	Registered	<a href="#">79109592</a>	<a href="#">4296814</a>
LUMENE ILLUMINATING ANTI-AGE BB CREAM	Registered	<a href="#">79111863</a>	<a href="#">4329887</a>
LUMENE LAB	Registered	<a href="#">79116377</a>	<a href="#">4359647</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 18, 2014	Apr 27, 2014
3	PENDING, INSTITUTED	Mar 18, 2014	
4	NOTICE OF DEFAULT	May 13, 2014	

5 BD DECISION: SUSTAINED

Jul 02, 2014

6 TERMINATED

Jul 02, 2014

**Generated on:** This page was generated by TSDR on 2014-08-25 17:35:15 EDT

**Mark:** LUMENE ILLUMINATING ANTI-AGE BB CREAM

LUMENE ILLUMINATING ANTI-AGE  
BB CREAM

**US Serial Number:** 79111863

**Application Filing Date:** Jan. 10, 2012

**US Registration Number:** 4329887

**Registration Date:** May 07, 2013

**Register:** Principal

**Mark Type:** Trademark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** May 07, 2013

**Publication Date:** Feb. 19, 2013

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## Mark Information

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**Mark Literal Elements:** LUMENE ILLUMINATING ANTI-AGE BB CREAM

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "ILLUMINATING ANTI-AGE BB CREAM"

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## Related Properties Information

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**International Registration  
Number:** 1113348

**International Registration  
Date:** Jan. 10, 2012

**Claimed Ownership of US  
Registrations:** 2429020

---

## Goods and Services

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**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing skin creams in liquid form for face and body care, face creams, body creams, hand creams, body mask cream, facial masks, nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations, namely, sun tan lotions; body soaps, essential oils for personal use and for use in the manufacture of scented products

**International Class(es):** 003 - Primary Class

**U.S Class(es):** 001, 004, 006, 050, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

---

## Basis Information (Case Level)

---

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No

**Currently No Basis:** No

---

## Current Owner(s) Information

---

**Owner Name:** Lumene Oy

**Owner Address:** Lasikuja 2  
FI-02780 Espoo  
FINLAND

**Legal Entity Type:** UNKNOWN

**State or Country Where  
Organized:** No Place Where Organized Found

## Attorney/Correspondence Information

Attorney of Record - None

Correspondent

**Correspondent Name/Address:** Keith E. Danish  
HISCOCK & BARCLAY LLP  
1270 Avenue of the Americas  
Suite 600  
NEW YORK, NEW YORK 10020  
UNITED STATES

**Correspondent e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com)

**Correspondent e-mail** Yes  
**Authorized:**

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 24, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Aug. 08, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Aug. 08, 2013	FINAL DISPOSITION PROCESSED	68359
Aug. 07, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
May 24, 2013	CHANGE OF OWNER RECEIVED FROM IB	
May 07, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 10, 2013	NOTIFICATION PROCESSED BY IB	
Feb. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 19, 2013	PUBLISHED FOR OPPOSITION	
Jan. 30, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Jan. 30, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Jan. 30, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 15, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Jan. 10, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 10, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 10, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 10, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 10, 2013	EXAMINERS AMENDMENT -WRITTEN	76137
Jan. 08, 2013	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jan. 08, 2013	FINAL REFUSAL E-MAILED	
Jan. 08, 2013	FINAL REFUSAL WRITTEN	76137
Dec. 11, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 06, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
Dec. 06, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Dec. 06, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	69712
Nov. 28, 2012	ASSIGNED TO LIE	69712
Nov. 25, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 25, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2012	CHANGE OF OWNER RECEIVED FROM IB	
Jun. 11, 2012	REFUSAL PROCESSED BY IB	
May 24, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 24, 2012	REFUSAL PROCESSED BY MPU	67445
May 22, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 21, 2012	NON-FINAL ACTION WRITTEN	76137
May 11, 2012	APPLICATION FILING RECEIPT MAILED	
May 07, 2012	ASSIGNED TO EXAMINER	76137

May 07, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM  
May 04, 2012 LIMITATION FROM ORIGINAL APPLICATION ENTERED  
May 03, 2012 SN ASSIGNED FOR SECT 66A APPL FROM IB

67445

## International Registration Information (Section 66a)

International Registration Number:	1113348	International Registration Date:	Jan. 10, 2012
Priority Claimed Flag:	Yes	Date of Section 67 Priority Claim:	Dec. 29, 2011
Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	May 03, 2012
Notification of Designation Date:	May 03, 2012	Date of Automatic Protection:	Nov. 03, 2013
International Registration Renewal Date:	Jan. 10, 2022		
First Refusal Flag:	Yes		

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 07, 2013

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 2

Registrant: Lumene Oy

### Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4891/0713](#)

Pages: 2

Date Recorded: Nov. 03, 2012

Supporting Documents: [assignment-tm-4891-0713.pdf](#)

### Assignor

Name: [LUMENE OY](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: UNKNOWN

State or Country Where Organized: FINLAND

### Assignee

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FINLAND

Address: PL 27  
FI-02781 ESPOO, FINLAND

### Correspondent

Correspondent Name: LUMENE OY

Correspondent Address: PL 27  
FI-02781 ESPOO  
FINLAND

### Domestic Representative - Not Found

### Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5033/0222](#)

Pages: 2

Date Recorded: May 24, 2013

Supporting Documents: [assignment-tm-5033-0222.pdf](#)

### Assignor

Name: [LUMENE OY](#)

Execution Date: Apr. 10, 2013

Legal Entity Type: UNKNOWN

State or Country Where Organized: FINLAND

### Assignee

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NOT PROVIDED



Address: LASIKUJA 2  
FI-02780 ESPOO, FINLAND

#### Correspondent

Correspondent Name: LUMENE OY  
Correspondent Address: P.O. BOX 27  
FI-02781 ESPOO  
FINLAND

#### Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Opposition

Proceeding Number: [91215484](#)

Filing Date: Mar 18, 2014

Status: Terminated

Status Date: Jul 02, 2014

Interlocutory Attorney: CHERYL S GOODMAN

#### Defendant

Name: PFB Vanish, Inc.  
Correspondent Address: CURTIS B HERBERT PHD  
DARDI & HERBERT PLLC  
1250 MOORE LAKE DRIVE E  
FRIDLEY MN , 55432 5134  
UNITED STATES  
Correspondent e-mail: [trademarks@daipaw.com](mailto:trademarks@daipaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMEN8	Abandoned - After Inter-Partes Decision	<a href="#">85896224</a>	

#### Plaintiff(s)

Name: Lumene Oy  
Correspondent Address: KEITH E DANISH  
HISCOCK & BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, SUITE 600  
NEW YORK NY , 10020  
UNITED STATES  
Correspondent e-mail: [ip@hblaw.com](mailto:ip@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com) , [jnardiello@hblaw.com](mailto:jnardiello@hblaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMENE	Renewed	<a href="#">74548352</a>	<a href="#">2429020</a>
LUMENE NATURAL CODE	Registered	<a href="#">79104428</a>	<a href="#">4216023</a>
LUMENE LAB	Registered	<a href="#">79109592</a>	<a href="#">4296814</a>
LUMENE ILLUMINATING ANTI-AGE BB CREAM	Registered	<a href="#">79111863</a>	<a href="#">4329887</a>
LUMENE LAB	Registered	<a href="#">79116377</a>	<a href="#">4359647</a>

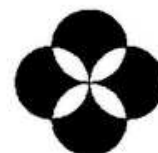
#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 18, 2014	Apr 27, 2014
3	PENDING, INSTITUTED	Mar 18, 2014	
4	NOTICE OF DEFAULT	May 13, 2014	
5	BD DECISION: SUSTAINED	Jul 02, 2014	
6	TERMINATED	Jul 02, 2014	

**Generated on:** This page was generated by TSDR on 2014-08-25 17:37:09 EDT

**Mark:** LUMENE LAB

LUMENE  
LAB



**US Serial Number:** 79116377

**Application Filing Date:** Jan. 18, 2012

**US Registration Number:** 4359647

**Registration Date:** Jul. 02, 2013

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Jul. 02, 2013

**Publication Date:** Apr. 16, 2013

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## Mark Information

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**Mark Literal Elements:** LUMENE LAB

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the stylized wording "LUMENE LAB" above a graphic of four overlapping solid circles that are transparent where they overlap. The overlapping area resembles a flower.

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Disclaimer:** "LAB"

**Design Search Code(s):** 05.05.25 - Daffodils; Iris (flower); Other flowers  
26.01.16 - Circles touching or intersecting  
26.01.21 - Circles that are totally or partially shaded.  
26.01.30 - Circles, exactly four circles; Four circles

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## Related Properties Information

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**International Registration Number:** 1125285

**International Registration Date:** Jan. 18, 2012

**Claimed Ownership of US Registrations:** 2429020

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## Goods and Services

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**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Cosmetics, namely, body care, face care and hand care products in the form of nourishing, conditioning and moisturizing liquids for face and body care, creams, masks, ampoules containing nourishing, conditioning and moisturizing liquids for face and body care; nourishing, conditioning and moisturizing gels and emulsions for face and body care; facial make-up, foundations, skin cleansing lotions, cleaning, soothing and refreshing tonics for face care, non-medicated acne preparations, lipstick, lip glosses, lip liner, nail polish, mascara, eyeliner, eye shadow, eye make-up remover, face powder, face creams, rouges, nail polish remover, nail care preparations, sun protection preparations; body soaps, laundry detergents, hair and body shampoos, hair conditioning preparations, hair waving preparations, hair gels, hair dye; hair sprays; personal deodorants, personal anti-perspirants, essential oils for personal use and for use in the manufacture of scented products; shaving preparations, toothpaste

**International Class(es):** 003 - Primary Class

**U.S Class(es):** 001, 004, 006, 050, 051, 052

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Hygienic and beauty care for human beings

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Lumene Oy

**Owner Address:** Lasikuja 2  
FI-02780 Espoo  
FINLAND

**Legal Entity Type:** UNKNOWN

**State or Country Where Organized:** No Place Where Organized Found

## Attorney/Correspondence Information

### Attorney of Record

**Docket Number:** 721201.30621

### Correspondent

**Correspondent Name/Address:** Keith E. Danish, Esq.  
Hiscock & Barclay, LLP  
1270 Avenue of the Americas, Suite 600  
New York, NEW YORK 10020  
UNITED STATES

**Correspondent e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Phone:** 212-784-5800

**Fax:** 212-784-5777

**Domestic Representative e-mail:** [trademarks@hblaw.com](mailto:trademarks@hblaw.com)

**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Oct. 27, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 11, 2013	REVIEW OF CORRESPONDENCE COMPLETE - CERTIFICATE OF REG MAILED	71427
Oct. 09, 2013	FAX RECEIVED	
Oct. 04, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 04, 2013	FINAL DISPOSITION PROCESSED	68359
Oct. 02, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jul. 02, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 08, 2013	NOTIFICATION PROCESSED BY IB	
May 24, 2013	CHANGE OF OWNER RECEIVED FROM IB	
Apr. 16, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 16, 2013	PUBLISHED FOR OPPOSITION	
Mar. 27, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	

Mar. 27, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Mar. 27, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 14, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 14, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 12, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Mar. 12, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 12, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 12, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 12, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 12, 2013	EXAMINERS AMENDMENT -WRITTEN	69225
Mar. 07, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Mar. 07, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Mar. 07, 2013	ASSIGNED TO LIE	70633
Mar. 06, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 01, 2012	REFUSAL PROCESSED BY IB	
Sep. 10, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 10, 2012	REFUSAL PROCESSED BY MPU	67445
Sep. 08, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Sep. 07, 2012	NON-FINAL ACTION WRITTEN	69225
Sep. 05, 2012	APPLICATION FILING RECEIPT MAILED	
Sep. 01, 2012	ASSIGNED TO EXAMINER	69225
Sep. 01, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 31, 2012	LIMITATION FROM ORIGINAL APPLICATION ENTERED	68359
Aug. 30, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

<b>International Registration Number:</b> 1125285	<b>International Registration Date:</b> Jan. 18, 2012
<b>Priority Claimed Flag:</b> Yes	<b>Date of Section 67 Priority Claim:</b> Jan. 12, 2012
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> Aug. 30, 2012
<b>Notification of Designation Date:</b> Aug. 30, 2012	<b>Date of Automatic Protection:</b> Feb. 28, 2014
<b>International Registration Renewal Date:</b> Jan. 18, 2022	
<b>First Refusal Flag:</b> Yes	

## TM Staff and Location Information

TM Staff Information - None

File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jul. 02, 2013

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** Lumene Oy

### Assignment 1 of 1

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5033/0228](#)

**Pages:** 2

**Date Recorded:** May 24, 2013

**Supporting Documents:** [assignment-tm-5033-0228.pdf](#)

**Assignor**

**Name:** [LUMENE OY](#)

**Execution Date:** Apr. 10, 2013

Legal Entity Type: UNKNOWN

State or Country Where  
Organized: FINLAND

**Assignee**

Name: [LUMENE OY](#)

Legal Entity Type: CORPORATION

State or Country Where  
Organized: NOT PROVIDED

Address: LASIKUJA 2  
FI-02780 ESPOO, FINLAND

**Correspondent**

Correspondent Name: LUMENE OY

Correspondent Address: P.O. BOX 27  
FI-02781 ESPOO  
FINLAND

**Domestic Representative - Not Found**

## Proceedings

**Summary**

Number of Proceedings: 1

**Type of Proceeding: Opposition**

Proceeding Number: [91215484](#)

Filing Date: Mar 18, 2014

Status: Terminated

Status Date: Jul 02, 2014

Interlocutory Attorney: CHERYL S GOODMAN

**Defendant**

Name: PFB Vanish, Inc.

Correspondent Address: CURTIS B HERBERT PHD  
DARDI & HERBERT PLLC  
1250 MOORE LAKE DRIVE E  
FRIDLEY MN , 55432 5134  
UNITED STATES

Correspondent e-mail: [trademarks@daiplaw.com](mailto:trademarks@daiplaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LUMEN8	Abandoned - After Inter-Partes Decision	<a href="#">85896224</a>	

**Plaintiff(s)**

Name: Lumene Oy

Correspondent Address: KEITH E DANISH  
HISCOCK & BARCLAY LLP  
1270 AVENUE OF THE AMERICAS, SUITE 600  
NEW YORK NY , 10020  
UNITED STATES

Correspondent e-mail: [jp@hblaw.com](mailto:jp@hblaw.com) , [kdanish@hblaw.com](mailto:kdanish@hblaw.com) , [jnardiello@hblaw.com](mailto:jnardiello@hblaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LUMENE	Renewed	<a href="#">74548352</a>	<a href="#">2429020</a>
LUMENE NATURAL CODE	Registered	<a href="#">79104428</a>	<a href="#">4216023</a>
LUMENE LAB	Registered	<a href="#">79109592</a>	<a href="#">4296814</a>
LUMENE ILLUMINATING ANTI-AGE BB CREAM	Registered	<a href="#">79111863</a>	<a href="#">4329887</a>
LUMENE LAB	Registered	<a href="#">79116377</a>	<a href="#">4359647</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 18, 2014	Apr 27, 2014
3	PENDING, INSTITUTED	Mar 18, 2014	
4	NOTICE OF DEFAULT	May 13, 2014	
5	BD DECISION: SUSTAINED	Jul 02, 2014	
6	TERMINATED	Jul 02, 2014	



## United States Patent and Trademark Office

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## Trademark Assignment Abstract of Title

**Total Assignments: 5**Serial #: 74548352

Filing Dt: 07/12/1994

Reg #: 2429020

Reg. Dt: 02/20/2001

Registrant: Orion Corporation

Mark: LUMENE

**Assignment: 1**Reel/Frame: 3025/0426

Recorded: 02/09/2005

Pages: 20

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: ORION-YHTYMA OYJ, ALSO TRADING AS ORION CORPORATION

Exec Dt: 11/17/2003

Entity Type: CORPORATION

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: NOIRO OY

LASIKUJA 2

ESPOO, FINLAND FIN-02780

Correspondent: KEITH E. DANISH, ESQ.

599 LEXINGTON AVENUE

NEW YORK, NY 10022-6030

**Assignment: 2**Reel/Frame: 3160/0715

Recorded: 09/16/2005

Pages: 3

Conveyance: CHANGE OF NAME

Assignor: NOIRO OY

Exec Dt: 02/16/2005

Entity Type: CORPORATION

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: LUMENE OY

LASIKUJA 2

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**Assignment: 3**Reel/Frame: 4905/0852

Recorded: 11/25/2012

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: LUMENE OY

Exec Dt: 04/30/2012

Entity Type: CORPORATION

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: LUMENE OY

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NEW YORK, NY 10036

**Assignment: 4****Reel/Frame:** [5110/0649](#)**Recorded:** 09/12/2013**Pages:** 24**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [LUMENE OY](#)**Exec Dt:** 02/28/2013**Entity Type:** CORPORATION**Citizenship:** FINLAND**Entity Type:** CORPORATION**Citizenship:** FINLAND**Assignee:** [LUMENE INTERMEDIATE HOLDING OY](#)

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**Assignment: 5****Reel/Frame:** [5110/0673](#)**Recorded:** 09/12/2013**Pages:** 5**Conveyance:** CHANGE OF NAME**Assignor:** [LUMENE INTERMEDIATE HOLDING OY](#)**Exec Dt:** 03/01/2013**Entity Type:** CORPORATION**Citizenship:** FINLAND**Entity Type:** CORPORATION**Citizenship:** FINLAND**Assignee:** [LUMENE OY](#)

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## Trademark Assignment Abstract of Title

## Total Assignments: 2

Serial #: [79104428](#)

Filing Dt: 07/28/2011

Reg #: [4216023](#)

Reg. Dt: 10/02/2012

Registrant: Lumene Oy

Mark: LUMENE NATURAL CODE

## Assignment: 1

Reel/Frame: [4891/0707](#)

Recorded: 11/03/2012

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 06/22/2012

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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## Assignment: 2

Reel/Frame: [5033/0216](#)

Recorded: 05/24/2013

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 04/10/2013

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: NOT PROVIDED

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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## Trademark Assignment Abstract of Title

## Total Assignments: 2

Serial #: [79109592](#)

Filing Dt: 12/16/2011

Reg #: [4296814](#)

Reg. Dt: 03/05/2013

Registrant: Lumene Oy

Mark: LUMENE LAB

## Assignment: 1

Reel/Frame: [4891/0709](#)

Recorded: 11/03/2012

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 06/22/2012

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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## Assignment: 2

Reel/Frame: [5033/0218](#)

Recorded: 05/24/2013

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 04/10/2013

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: NOT PROVIDED

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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## Trademark Assignment Abstract of Title

## Total Assignments: 2

Serial #: [79111863](#)

Filing Dt: 01/10/2012

Reg #: [4329887](#)

Reg. Dt: 05/07/2013

Registrant: Lumene Oy

Mark: LUMENE ILLUMINATING ANTI-AGE BB CREAM

## Assignment: 1

Reel/Frame: [4891/0713](#)

Recorded: 11/03/2012

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 06/22/2012

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: FINLAND

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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## Assignment: 2

Reel/Frame: [5033/0222](#)

Recorded: 05/24/2013

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 04/10/2013

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: NOT PROVIDED

Assignee: [LUMENE OY](#)

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## Total Assignments: 1

Serial #: [79116377](#)

Filing Dt: 01/18/2012

Reg #: [4359647](#)

Reg. Dt: 07/02/2013

Registrant: Lumene Oy

Mark: LUMENE LAB

## Assignment: 1

Reel/Frame: [5033/0228](#)

Recorded: 05/24/2013

Pages: 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [LUMENE OY](#)

Exec Dt: 04/10/2013

Entity Type: UNKNOWN

Citizenship: FINLAND

Entity Type: CORPORATION

Citizenship: NOT PROVIDED

Assignee: [LUMENE OY](#)

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Correspondent: LUMENE OY

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